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U.S. DISTRICT COURT
MIDDLE DIST. OF ALA.

Richard Wayne Wright, Sr., *
Plaintiff, Pro-Se., * Civil Action No.
- VS- * 2:05 - CV - 439 - A - W0
Sylvester Nettles, et.al. *
Defendants. *

Plaintiff Wright Motion In Objection To
The Magistrate Judge Recommendation
Denying Mental Examination

I Richard Wayne Wright, Sr., am the Plaintiff, Pro-Se., and Comes before this Honorable Court to object to the recommendation of the Honorable Charles S. Coody (Chief United States Magistrate Judge) order pass down on the 5th day of January, 2006, denying plaintiff Wright Motion For a Mental health evaluation. May this Honorable Court Consider plaintiff objection motion and reverse its order and set a date at which time this Honorable Court shall order and prescribe a time, place and person to perform the mental evaluation upon plaintiff at such date this Honorable Court deems fit.

DeFendants are playing both Sides OF the tables when the Circumstances/ Situation is not in plaintiff Wright Favor [he] is considered competent For [their] vocation and mental health status, nor administration of psychotropic medication need (not) be applied. Then at the time's the Circumstances / Situation (is) Favorable to plaintiff defendants seeks to use the mental health label. When defendants desire (not) to apply mental health status, nor administrate^{R.W.W.} psychotropic medication are times when [they] can affix a disciplinary to plaintiff as means of incriminating plaintiff further through means of his prison files. Then when defendants desire to inflict mental and physical anguish upon plaintiff and/or stop plaintiff in [their] Form's, From transferring to a lower level prison, where in, he can exercise more liberty, a mental health hold/ labels' is applied to prevent such Favorable benefit to plaintiff and psychotropic medication maybe needed For [their] states reasons. Plaintiff shall attempt to clarify these actual Circumstances/ Situation defendants technique were used.

When plaintiff Wright was accused of an institutional Rule Violation (I.R.V.)

Magistrate Judge Denying Plaintiff Motion Mental Exam

Rule #38 (Indecent Exposure/Exhibitionist in August 2003 and Subsequently Found guilty by defendants and ~~their~~ agents in September 2003. It appears there were no need for defendants mental evaluation Consultant Forms for plaintiff Competency or the such like. One (1) reason being was the disciplinary itself would hinder plaintiff progress and any Favorable transfer to a lesser restricted camp/ worker release, etc. Until approximately ninety(90) to one hundred and sixty (160) days after (I.R.V.) applied. After that time expired defendant S. Seals decided to apply the mental health label/hold again as indicated on plaintiff progress Review Form date March 3, 2004. This was done intentionally to hinder and/or stop plaintiff progress and any Favorable transfer to a lesser restricted camp and used as justification^{R.W.W.} of Forbidding plaintiff a transfer wheather lateral or a lesser restricted camp/prison. During defendant S. Seals recommendation as described on plaintiff progress review Form date March 3, 2004. This did indeed stop plaintiff progress.

ON November 3, 2004, approximately, plaintiff defended himself against inmate Walton Solomon attack and as such design of defendant (Lt.) Babers state ment, plaintiff was charge with (I.R.V.), Rule #31 (assault on another inmate) and subsequently Found guilty by defendant(s) and/or their agents. At the time defendant's submitted the allege Consultation Form For defendant's reason to express plaintiff being competent to Face their charge of the said (I.R.V.) noted above. Again no label of mental health illness needed nor their suggestion For psychotropic medication. This implementation of this (said) disciplinary For this said (I.R.V.) would serve defendant purpose, which would be to Further incriminate plaintiff through his prison File and Cause more mental and physical anguish upon him.

Repeatedly, plaintiff Wright has had to contend with defendant's playing both sides of the table with [their] mental health label usage. In April, 2005, plaintiff was again charge of Violating institutional Rule #62 (Intentionally Creating a security, Safety, or health hazard) defendant's next disciplinary to be applied. In May,

Magistrate Judge Denying Plaintiff Motion Mental Exam

2004, plaintiff subsequently Found guilty. No mental health label, nor recommendation/ suggestion of the administration of psychotropic medication plaintiff competent to be tried For ~~their~~ said charge.

Plaintiff wonders and awaits in distress and perplexity (For what) de^{R.W.W}endants shall do next unto him. While ~~they~~ contends they need to reserve their right/ opportunity to use Force/ involuntary psychotropic medication at which time they shall deem fit. This plaintiff knows From his pass experience with defendant use of psychotropic medication most like will be used at ~~the~~ time plaintiff shall reveal defendants manifested injustice and malicious intentions exhibited upon plaintiff.

Conclusion

Plaintiff ask this Honorable Court to reconsider its order pass down on the 5th day of January, 2006, of denying plaintiff Motion For a mental health evaluation. For the reasons set forth in this motion of objections to the Magistrate Judge recommendation. Due to the ^{R.W.W} defendants malicious acts

exercised in Bad Faith as described herein, Such mental health evaluation should be granted and it will not in any way prejudice the defendants in any manner, but will secure plaintiff Wright ability to exercise his rights as afforded through the United States laws, Constitution and Amendments of this said government. Plaintiff hopes this Honorable Court will Construe R.W.W. this motion (not) only as an objection to the recommendation of the Magistrate Judge, but, also Construe it into the Form of a motion For reconsideration of plaintiff initial motion Filed on December 20, 2005, (Court Doc. No. 45), requesting a mental health evaluation at the earliest possible date this Court shall deem fit.

Done this the 15th day of January, 2006.

Respectfully Submitted,

Richard Wayne Wright, Jr. #187140
Ventress Correctional Facility
Infirmary Room # 103

Post Office Box 767
Clayton, Alabama 36016

Certificate OF Service

This is to Certify that I Richard Wayne Wright, Sr., am the petitioner, Pro-Se., in the above encaptioned motion and ^{R.W.W.} Certify I have sent this motion to the Clerk of this Court and earnestly ask due to plaintiff ^{R.W.W.} indigent status that this Honorable Court and/or Clerk Forwarded a Copy of this (said) motion "Plaintiff Wright Motion In Objection To The Magistrate Judge Recommendation Denying Mental Examination" to defendant's Counsel(s) which are as following:

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by placing this motion in the United States mail box at Ventress Correctional Facility by (hand delivery) to the officer on duty with First Class postage (stamp) prepaid and properly address this on the 16th day of January, 2006.

Respectfully Submitted,

Richard W. Wright, Sr.

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